

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOHN WAYS, JR.,

Defendant.

8:12CR391

ORDER

This matter is before the court on the motion of defendant John Ways, Jr. (Ways) to be screened for placement (Filing No. 206). Ways is charged in the Superseding Indictment with a conspiracy to sell drug paraphernalia (Count I) and a conspiracy to distribute and possess with intent to distribute Schedule I controlled substances (Count II) both in violation of 21 U.S.C. 846 and 841 (a)(1). He is also charged with a conspiracy to commit money laundering (Count III) in violation of 18 U.S.C. § 1956. Lastly, he is charged with the possession of ammunition by a convicted felon (Count IV) in violation of 18 U.S.C. § 922(g)(1). Following a detention hearing after the original Indictment, Ways was ordered detained on December 31, 2012 (Filing No. 61).

Ways is a convicted sex offender required to register until April 2029 for prior convictions in Lancaster County, Nebraska, for pandering and illegal sexual contact. Ways was convicted in federal court for the District of Nebraska in 2004 for the possession of an unregistered destructive device, i.e., a six-shot rotary 37mm projectile launcher with folding stock, in violation of 26 U.S.C. §§ 5841, 5861(d), and 5871. Ways received a sentence of seventy-two months imprisonment followed by a three year term of supervised release. Ways has a lengthy criminal history (Presentence Investigation Report - Filing No. 112/Sealed in 4:03CR3046; Pretrial Services Report - Filing No. 16/Sealed). He has an outstanding bench warrant in Lancaster County regarding a Sex Offender Registration Violation. Placement of Ways at his parents residence in Lincoln, Nebraska, would not reasonably assure that Ways would not continue to be a danger to the community in light of Ways' previous criminal history.

Ways' motion to reconsider detention (Filing No. 206) is denied.

IT IS SO ORDERED.

DATED this 26th day of August, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge